IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No. 10260 of 1999
With
SPECIAL CIVIL APPLICATION No. 1342 of 1998

For Approval and Signature:

HON'BLE MR JUSTICE KS JHAVERI

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1 Whether Reporters of Local Papers may be allowed to see the judgment ?

2 To be referred to the Reporter or not ?

3 Whether their Lordships wish to see the fair copy of the judgment ?

4 Whether this case involves a substantial question of law as to the interpretation of the constitution of India, 1950 or any order made thereunder ?

5 Whether it is to be circulated to the civil judge ?

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BHAL NATH KANTHA KHADI GRAMODYOG MANDAL - Petitioner(s)

Versus

RATILAL POPATLAL MASIYAVA - Respondent(s)

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Appearance :
MR J.A. ADESHARA for Petitioner No(s).: 1.

..... for Respondent No(s).: 1.
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CORAM : HON'BLE MR JUSTICE KS JHAVERI

Date : 05/08/2005

ORAL JUDGMENT

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1.0 The petitioner has challenged the award dated

09.09.1997 passed by the Labour Court, Ahmedabad, in Reference (LCA) No. 1244 of 1987, whereby the petitioner was directed to reinstate the respondent without any back wages.

2.0 Mr. J A Adeshara learned advocate for the petitioner has stated that pursuant to the order dated 23.04.1999 passed in Special Civil Application No. 1342 of 1998, the respondent workman has voluntarily left the job on 10.04.2004.

3.0 Heard Mr. Adeshara learned advocate for the petitioner. In view of the statement made by Mr. Adeshara, the impugned award of the Labour Court granting reinstatement in service can not be considered. No fruitful purpose will be served by adjudicating the matter on merits since award of the Labour Court is already exhausted. In above view of the matter, both the petitions stand disposed of. Rule is made absolute to the aforesaid extent with no order as to costs. Liberty to apply in case of difficulty.

(K. S. JHAVERI, J.)

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